

EXHIBIT 14

FRED A. HESSLER
AMY BARTOLETTI vs CITIGROUP INC.

August 10, 2012
33-36

<p>1 F. A. HESSLER</p> <p>2 Q. And those are all females?</p> <p>3 A. Yes. All managing directors.</p> <p>4 Q. Why did only women talk to the group?</p> <p>5 MR. BATTAGLIA: Objection. It calls for speculation.</p> <p>6 A. I'm not sure why only women did.</p> <p>7 Q. And other than that talk that was given by those three women, were there any other discussions you can remember about this case?</p> <p>8 A. No.</p> <p>9 Q. What about the claims in this case?</p> <p>10 A. No.</p> <p>11 Q. About the allegations in this case?</p> <p>12 A. No.</p> <p>13 Q. You never spoke to Fred Hessler at all about Lisa Conley's --</p> <p>14 MR. BATTAGLIA: Objection. He's Fred Hessler.</p> <p>15 Q. You never spoke to David Cyganowski at all about any of the allegations</p>	<p>Page 33</p> <p>1 F. A. HESSLER</p> <p>2 Q. Did you ever discuss any articles with anyone else about this case?</p> <p>3 A. No.</p> <p>4 Q. Did you ever discuss any TV segments with anybody?</p> <p>5 A. No.</p> <p>6 Q. Mr. Hessler, there came a time that Lisa Conley was hired by Citigroup, is that right?</p> <p>7 A. Yes.</p> <p>8 Q. Do you remember when that was?</p> <p>9 A. Probably some time in 1997 time frame.</p> <p>10 Q. Did you recruit her to the company?</p> <p>11 A. I was involved in recruiting her.</p> <p>12 Q. Who else was involved?</p> <p>13 A. David Cyganowski. And beyond that I don't recall who else was involved.</p> <p>14 Q. And how did you recruit her?</p> <p>15 A. I don't recall exactly how it is we approached her to recruit her.</p> <p>16 Q. You don't recall how he approached her?</p>
<p>1 F. A. HESSLER</p> <p>2 that Lisa has made in this case?</p> <p>3 A. I can't remember any specific conversation.</p> <p>4 Q. Can you remember any general conversations?</p> <p>5 A. No. I'm sure we talked about it, but I don't recall what the substance of those conversations may have been.</p> <p>6 Q. What about with Frank Chin?</p> <p>7 A. No.</p> <p>8 Q. What about with David Brownstein?</p> <p>9 A. No.</p> <p>10 Q. What about with Ward Marsh?</p> <p>11 A. Nope.</p> <p>12 Q. Do you remember this case ever receiving any publicity?</p> <p>13 A. I'm aware that there was publicity.</p> <p>14 Q. Did you ever read any articles about this case?</p> <p>15 A. No.</p> <p>16 Q. Did you ever watch any TV segments about this case?</p> <p>17 A. No.</p>	<p>Page 34</p> <p>1 F. A. HESSLER</p> <p>2 A. How we approached her.</p> <p>3 Q. And what position -- was Lisa eventually hired by the company?</p> <p>4 A. Yes.</p> <p>5 Q. And what position was she hired into?</p> <p>6 A. Best recollection I have is AVP.</p> <p>7 Q. And AVP stands for?</p> <p>8 A. Assistant vice president.</p> <p>9 Q. And she was hired into your group?</p> <p>10 A. Yes.</p> <p>11 Q. And as an AVP in the healthcare group, what were Lisa's job duties?</p> <p>12 A. I'm sorry. As an AVP in the healthcare group, what were Lisa's job duties?</p> <p>13 A. To participate in the execution of financing transactions.</p> <p>14 Q. And did Lisa do a good job in that role?</p> <p>15 A. As an AVP?</p> <p>16 Q. Yes.</p> <p>17 A. Yes.</p> <p>18 Q. And just backing up a second, whose decision was it to hire Lisa Conley?</p>

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<p>1 F. A. HESSLER</p> <p>2 A. It would have been both mine and</p> <p>3 David Cyganowski's decision.</p> <p>4 Q. And did anyone else need to sign</p> <p>5 off on it?</p> <p>6 A. Frank Chin. And I don't know</p> <p>7 beyond that.</p> <p>8 Q. Did David Brownstein sign off on</p> <p>9 it?</p> <p>10 A. No.</p> <p>11 Q. Do you remember why you decided to</p> <p>12 hire Lisa Conley?</p> <p>13 A. We needed support at the junior</p> <p>14 banker level.</p> <p>15 Q. She had an impressive background?</p> <p>16 MR. BATTAGLIA: Objection.</p> <p>17 A. She had a solid background.</p> <p>18 Q. Do you remember where she came</p> <p>19 from?</p> <p>20 MR. BATTAGLIA: Objection.</p> <p>21 Can you clarify.</p> <p>22 Q. Do you remember where she worked</p> <p>23 previous to Citi?</p> <p>24 A. I think it was either PaineWebber</p> <p>25 or UBS, I don't know at that time what they</p>	<p>Page 37</p> <p>1 F. A. HESSLER</p> <p>2 Q. Do you remember when that was?</p> <p>3 A. I don't.</p> <p>4 Q. And why were you on board with her</p> <p>5 promotion?</p> <p>6 A. She performed well as an AVP, and</p> <p>7 demonstrated her ability to continue her</p> <p>8 career as a junior professional as a vice</p> <p>9 president.</p> <p>10 Q. And what criteria did you analyze</p> <p>11 in determining that she was ready for the</p> <p>12 promotion from an AVP to VP?</p> <p>13 MR. BATTAGLIA: Objection to form.</p> <p>14 You can answer.</p> <p>15 THE WITNESS: I'm sorry?</p> <p>16 MR. BATTAGLIA: You can answer.</p> <p>17 A. Well, the criteria would have been</p> <p>18 in terms of her ability to execute bond deals,</p> <p>19 financing deals successfully.</p> <p>20 Q. And she satisfied that criteria?</p> <p>21 A. Yes.</p> <p>22 Q. Was anyone else involved in the</p> <p>23 promotion process of Lisa from AVP to VP?</p> <p>24 A. Yes.</p> <p>25 Q. Who else was involved?</p>
<p>1 F. A. HESSLER</p> <p>2 were.</p> <p>3 Q. And there came a time that Lisa</p> <p>4 was eventually promoted out of the AVP role.</p> <p>5 Is that right?</p> <p>6 A. Yes.</p> <p>7 Q. And what was the first promotion</p> <p>8 that she received?</p> <p>9 A. That would have been to vice</p> <p>10 president.</p> <p>11 Q. Do you remember when that was?</p> <p>12 A. I don't.</p> <p>13 Q. Did you recommend her for this</p> <p>14 promotion?</p> <p>15 A. I approved her promotion.</p> <p>16 Q. Did you recommend her for the</p> <p>17 promotion?</p> <p>18 A. We would have recommended to Frank</p> <p>19 Chin to have her promoted.</p> <p>20 Q. When you say we, is that you and</p> <p>21 Cyganowski?</p> <p>22 A. David.</p> <p>23 Q. So you were fully on board with</p> <p>24 her promotion?</p> <p>25 A. Yes.</p>	<p>Page 38</p> <p>1 F. A. HESSLER</p> <p>2 A. All the other officers in our</p> <p>3 healthcare group.</p> <p>4 Q. Does that mean all of the</p> <p>5 directors and managing directors?</p> <p>6 A. Yes.</p> <p>7 Q. And what was their role in that</p> <p>8 decision?</p> <p>9 A. We provided an opportunity for</p> <p>10 everyone to provide feedback on potential</p> <p>11 candidates for promotion.</p> <p>12 Q. And do you remember, was everyone</p> <p>13 on board with Lisa's promotion to vice</p> <p>14 president?</p> <p>15 A. To the best of my recollection,</p> <p>16 yes.</p> <p>17 Q. And during her time as associate</p> <p>18 vice president, do you recall any clients</p> <p>19 complaining about Lisa?</p> <p>20 A. No.</p> <p>21 Q. I might have said associate vice</p> <p>22 president. AVP.</p> <p>23 Do you remember any clients</p> <p>24 complaining about her during that time?</p> <p>25 A. No.</p>

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<p>1 F. A. HESSLER 2 Q. And do you remember any issues at 3 that time regarding her representation of 4 clients? 5 MR. BATTAGLIA: Objection to form. 6 I don't think we set a foundation 7 regarding her representation of clients. 8 Q. Was Lisa involved in covering 9 clients in an AVP role? 10 A. She was on client assignments as 11 an AVP, yes. 12 Q. Did she ever have contact with 13 clients as an AVP? 14 A. Minimal. 15 Q. During that time do you remember 16 any issues regarding her covering clients? 17 A. No. 18 Q. So Lisa was promoted from AVP to, 19 the next promotion was VP. Is that right? 20 A. Yes. 21 Q. And what's the difference in role 22 between an AVP and VP? 23 A. Very little difference initially. 24 Essentially, still a junior banker processing 25 transactions.</p>	<p>Page 41</p> <p>1 F. A. HESSLER 2 to approve it? 3 A. Yes. 4 Q. Who? 5 A. Frank Chin and I would assume 6 Ward Marsh. 7 MR. BATTAGLIA: Please don't 8 assume. 9 THE WITNESS: Pardon? 10 MR. BATTAGLIA: Please don't 11 assume. 12 THE WITNESS: Okay. 13 A. Frank Chin. 14 THE WITNESS: Thank you. 15 Q. And did you recommend Lisa for the 16 promotion to director? 17 A. Yes. 18 Q. Along with Mr. Cyganowski? 19 A. Yes. 20 Q. And you supported, obviously, her 21 promotion? 22 A. Yes. 23 Q. Why did you support her promotion 24 to director? 25 A. We believed it was warranted based</p>
<p>1 F. A. HESSLER 2 Q. Does that change as you become a 3 more experienced VP? 4 A. Yes. 5 Q. How does it change? 6 A. Presumably, one takes on more 7 responsibilities for the execution of the 8 financings. 9 Q. And did Lisa take on more 10 responsibility for the execution of 11 financings? 12 A. Yes. 13 Q. And did there come a time when 14 Lisa was promoted from VP to director? 15 A. Yes. 16 Q. Do you remember when that was? 17 A. I don't. 18 Q. And who was involved in the 19 decision to promote Lisa to director? 20 A. Again, all the managing directors 21 and directors in our healthcare group. 22 Q. And David Cyganowski? 23 A. And David Cyganowski. 24 Q. And what about approval from above 25 your pay grade, did any of your superiors have</p>	<p>Page 42</p> <p>1 F. A. HESSLER 2 on her performance as a VP. 3 Q. Were there specific criterion that 4 you analyze when determining whether somebody 5 is ready to move from vice president to 6 director? 7 A. Yes. 8 Q. And what are those criteria? 9 A. A demonstrated ability to manage 10 entire transactions effectively and 11 successfully. 12 Q. And you felt Lisa had satisfied 13 that criteria? 14 A. Yes. 15 Q. And you said you received feedback 16 from all of the other officers in the group? 17 A. Yes. 18 Q. Do you remember any negative 19 comments about Lisa at that time? 20 A. I don't recall any negative. 21 Q. Do you remember any positive 22 comments at that time? 23 A. Nothing specific. 24 Q. Do you generally remember positive 25 comments?</p>

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<p>1 F. A. HESSLER</p> <p>2 A. Yes.</p> <p>3 Q. If the feedback had been mainly</p> <p>4 negative, would Lisa have still been promoted?</p> <p>5 A. No.</p> <p>6 MR. BATTAGLIA: Objection. It</p> <p>7 calls for speculation.</p> <p>8 Q. Do you know whether, if the</p> <p>9 feedback would have been mainly negative if</p> <p>10 Lisa would have been promoted?</p> <p>11 MR. BATTAGLIA: Objection: it</p> <p>12 calls for speculation.</p> <p>13 You may answer.</p> <p>14 A. My guess -- I won't assume.</p> <p>15 MR. BATTAGLIA: No.</p> <p>16 A. I can't tell you.</p> <p>17 Q. You wouldn't promote someone with</p> <p>18 average or negative -- well, you wouldn't</p> <p>19 promote someone with negative reviews, would</p> <p>20 you?</p> <p>21 MR. BATTAGLIA: Objection. It</p> <p>22 calls for speculation.</p> <p>23 Q. I'm asking whether you, as the</p> <p>24 head of the group, would recommend someone for</p> <p>25 promotion with negative reviews?</p>	<p>Page 45</p> <p>1 F. A. HESSLER</p> <p>2 the phone?</p> <p>3 A. Yes.</p> <p>4 Q. And during her time as a vice</p> <p>5 president, do you recall any complaints from</p> <p>6 clients about Lisa?</p> <p>7 A. I don't recall any.</p> <p>8 Q. Do you remember any issues being</p> <p>9 raised for your attention regarding her</p> <p>10 representation of clients?</p> <p>11 A. I don't know what you mean.</p> <p>12 Q. Were there any issues that you</p> <p>13 were made aware of regarding Lisa's</p> <p>14 representation of clients?</p> <p>15 MR. BATTAGLIA: To the extent you</p> <p>16 can recall.</p> <p>17 A. Well, right, but Lisa did not</p> <p>18 represent clients.</p> <p>19 Q. Who represents clients?</p> <p>20 A. I don't understand your question.</p> <p>21 Q. Does one person represent the</p> <p>22 client?</p> <p>23 A. To whom?</p> <p>24 Q. Is there a team that's involved in</p> <p>25 representing the client?</p>
<p>1 F. A. HESSLER</p> <p>2 MR. BATTAGLIA: Objection. You</p> <p>3 may ask him if at any point he did, but</p> <p>4 otherwise you are asking him to</p> <p>5 speculate and I'm not going to let him</p> <p>6 sit here and answer hypotheticals.</p> <p>7 MR. GROSS: I'm asking him in his</p> <p>8 practice as the head of the healthcare</p> <p>9 group over the last 20 years, if you</p> <p>10 promote people with negative reviews.</p> <p>11 MR. BATTAGLIA: Is the question if</p> <p>12 at any time did he, because that he may</p> <p>13 answer.</p> <p>14 Q. I'm asking you over your 20, or</p> <p>15 however many years you have been head of the</p> <p>16 healthcare group, if you have promoted someone</p> <p>17 to director with negative reviews?</p> <p>18 A. No.</p> <p>19 Q. And during Lisa's time as a vice</p> <p>20 president, was she involved in covering</p> <p>21 clients?</p> <p>22 A. I don't understand your question.</p> <p>23 Q. Did she have client interaction?</p> <p>24 A. Yes.</p> <p>25 Q. And would she speak to clients on</p>	<p>Page 46</p> <p>1 F. A. HESSLER</p> <p>2 A. We have people assigned to clients</p> <p>3 who work with clients to execute financing</p> <p>4 transactions.</p> <p>5 Q. So is your issue with my use of</p> <p>6 the term "represent"?</p> <p>7 A. I don't know what that term means.</p> <p>8 Q. Were there ever any issues brought</p> <p>9 to your attention regarding Lisa's covering of</p> <p>10 clients during her time as a vice president?</p> <p>11 A. Nothing was brought to my</p> <p>12 attention.</p> <p>13 Q. And does the vice president have</p> <p>14 any responsibilities with respect to</p> <p>15 generating revenue?</p> <p>16 A. There is no real expectation for a</p> <p>17 VP to generate revenue.</p> <p>18 Q. Do you evaluate whether a vice</p> <p>19 president has the potential to generate</p> <p>20 revenue upon promotion to director?</p> <p>21 A. Yes.</p> <p>22 Q. And how do you evaluate that?</p> <p>23 A. Based on their performance in</p> <p>24 terms of working with clients and</p> <p>25 understanding of the business, understanding</p>

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<p>1 F. A. HESSLER 2 of the investment banking business, healthcare 3 business, and I guess financing transactions. 4 Q. And at the time that Lisa was 5 promoted to director, did you believe that she 6 had potential to generate revenue for the 7 healthcare group? 8 A. Yes. 9 Q. And was that one of the factors 10 you considered when promoting Lisa to 11 director? 12 A. Yes. 13 Q. And again, you don't remember 14 when that promotion was to director? 15 A. I don't. 16 Q. And do you consider when someone's 17 promoted to director, whether they would be 18 successful or successful interacting with 19 clients? Strike that. 20 Do you consider whether people 21 would be good at interacting with clients? 22 MR. BATTAGLIA: Objection. You 23 may answer. 24 A. Their ability to interact with 25 clients, either was or was not demonstrated in</p>	<p>Page 49</p> <p>1 F. A. HESSLER 2 as a vice president? 3 A. I don't recall. 4 Q. Did Lisa ever express to you that 5 she was interested in being promoted? 6 MR. BATTAGLIA: At which point? 7 MR. GROSS: As a vice president, 8 do you remember whether she was 9 interested in being promoted to a 10 director. 11 A. I don't recall her ever expressing 12 that to me. 13 Q. Do you ever recall her expressing 14 that she was not interested in being promoted 15 to director? 16 A. I don't recall her expressing any 17 interest in not being promoted. 18 Q. When you fill out performance 19 reviews, are those reviews considered when 20 making promotion decisions? 21 MR. BATTAGLIA: Objection. 22 A. Could you repeat it. There is a 23 lot of traffic out there. 24 Q. Sure. Are performance reviews, 25 the scores that people receive on performance</p>
<p>1 F. A. HESSLER 2 their time as a vice president. 3 Q. And so Lisa was good at 4 interacting with clients? 5 A. She interacted with clients 6 effectively. 7 Q. Do you fill out performance 8 reviews in connection with your role as head 9 of the healthcare group? 10 A. Yes, sir. 11 Q. And that's part of the manager's 12 job? 13 A. Yes. 14 Q. Is it an important part of their 15 job? 16 MR. BATTAGLIA: Objection. 17 A. Yes. 18 Q. During Lisa's time as an AVP, did 19 you ever express or did you ever have any 20 reservations that she wasn't interested in her 21 professional development? 22 A. I don't recall. 23 Q. Do you recall whether you were 24 worried about whether she was interested in 25 her professional development during her time</p>	<p>Page 50</p> <p>1 F. A. HESSLER 2 reviews, is that taken into account when 3 deciding whether to promote someone? 4 MR. BATTAGLIA: Objection. You 5 may answer. 6 A. Yes. 7 Q. Yes? 8 A. Yes. 9 MR. BATTAGLIA: Objection. You 10 said I guess? 11 THE WITNESS: I said "yes." 12 MR. BATTAGLIA: I'm also having a 13 hard time hearing. 14 Q. Are those performance ratings 15 considered when determining the amount of 16 discretionary bonus that someone receives? 17 MR. BATTAGLIA: Objection. You 18 can answer. 19 A. Yes. 20 Q. Are they considered when making 21 termination decisions? 22 MR. BATTAGLIA: Objection. You 23 may answer. 24 A. Yes. 25 Q. Would you agree that reviews are</p>

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<p>1 F. A. HESSLER</p> <p>2 A. Yes.</p> <p>3 Q. Do you remember having any</p> <p>4 disagreements with Mr. Cyganowski regarding</p> <p>5 this review?</p> <p>6 A. Not to my recollection.</p> <p>7 Q. If you look on that same first</p> <p>8 page under the Responsibility to Our Clients</p> <p>9 heading, and that first box says Builds Client</p> <p>10 Relationships. Do you see where I'm looking?</p> <p>11 A. Yes.</p> <p>12 Q. And it says: "Anticipates,</p> <p>13 understand and exceeds client expectations and</p> <p>14 needs." And Lisa received a 2 in that</p> <p>15 category, correct?</p> <p>16 A. Yes.</p> <p>17 Q. And that means that she was highly</p> <p>18 effective?</p> <p>19 A. Yes.</p> <p>20 Q. And you agree with that rating?</p> <p>21 A. Yes.</p> <p>22 Q. And that Lisa, the last bullet</p> <p>23 point in that box says "Solicits, listens and</p> <p>24 responds to client feedback." Do you agree</p> <p>25 that Lisa was highly effective in that area in</p>	<p>Page 69</p> <p>1 F. A. HESSLER</p> <p>2 actually put in their comments and put in the</p> <p>3 ratings?</p> <p>4 A. I believe that's what took place</p> <p>5 in two thousand -- this is 2006, right. I</p> <p>6 believe that was the system in 2006, yes.</p> <p>7 Q. So if we look at Lisa's comments</p> <p>8 in that top of page 683, starting with the</p> <p>9 second sentence where she says:</p> <p>10 "My time was spent being much more</p> <p>11 client focused and the transaction processing</p> <p>12 was delegated much more effectually. For the</p> <p>13 Rush and Sisters of St. Francis relationships,</p> <p>14 I was front and center for all significant</p> <p>15 discussions."</p> <p>16 Would you agree with those</p> <p>17 comments?</p> <p>18 A. Yes.</p> <p>19 Q. Was Lisa the lead banker on the</p> <p>20 Rush and Sisters of St. Francis accounts?</p> <p>21 A. No.</p> <p>22 Q. Do you know who was the lead</p> <p>23 banker on those accounts?</p> <p>24 A. Yes.</p> <p>25 Q. Who was the lead banker on Rush?</p>
<p>1 F. A. HESSLER</p> <p>2 2006?</p> <p>3 A. Yes.</p> <p>4 Q. And if you look at the next box</p> <p>5 down, it says "Delivers client solutions."</p> <p>6 And the first bullet point says:</p> <p>7 "Continuously delivers superior</p> <p>8 advise, product and services, leverages</p> <p>9 internal expertise."</p> <p>10 Again, Lisa got a 2 for highly</p> <p>11 effective. Do you agree with that rating for</p> <p>12 2006?</p> <p>13 A. Yes.</p> <p>14 Q. If you turn the page to the page</p> <p>15 marked on the bottom, 683, the second page of</p> <p>16 this document. At the top of the page there</p> <p>17 is what appear to be Lisa's, Lisa Conley's</p> <p>18 comments, right?</p> <p>19 A. Yes.</p> <p>20 Q. Do you have access, do you see</p> <p>21 these comments when you are filling out the</p> <p>22 review?</p> <p>23 A. Yes.</p> <p>24 Q. So the employee puts in her own,</p> <p>25 his or her own comments before the managers</p>	<p>Page 70</p> <p>1 F. A. HESSLER</p> <p>2 A. I believe it was Dave Johnson.</p> <p>3 Q. And who was the lead banker on</p> <p>4 Sisters of St. Francis?</p> <p>5 A. Dave Johnson.</p> <p>6 Q. Was Lisa taking, to your knowledge</p> <p>7 did Lisa take an active role in covering those</p> <p>8 clients?</p> <p>9 MR. BATTAGLIA: Objection. You</p> <p>10 can answer, if you understand.</p> <p>11 A. She was taking an active role in</p> <p>12 processing the transactions for Rush and</p> <p>13 Sisters of St. Francis.</p> <p>14 Q. But she wasn't the lead banker?</p> <p>15 A. Yes, sir, correct.</p> <p>16 Q. What does the lead banker do?</p> <p>17 A. He has primary responsibility for</p> <p>18 the client relationship.</p> <p>19 Q. And are directors ever lead</p> <p>20 bankers?</p> <p>21 A. Yes.</p> <p>22 Q. Yes?</p> <p>23 A. Yes.</p> <p>24 Q. Are directors -- when someone is</p> <p>25 just promoted to director, are they expected</p>

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1	F. A. HESSLER	1	F. A. HESSLER
2	pertain solely to Lisa. Correct?	2	A. I don't know why.
3	A. Yes.	3	Q. Now, if you look at the document,
4	Q. And are there documents that	4	I think, if you look at the two pages, it
5	pertained to the healthcare group as a whole?	5	appears that the second page is the same as
6	A. Yes.	6	the first page, just that it lists the top ten
7	Q. And did you receive those	7	transactions on the second page, but since
8	documents as well from Bill Hudnut?	8	there is only nine transactions it appears the
9	A. Yes.	9	two pages are actually identical. Is that --
10	Q. So you would receive not just the	10	MR. BATTAGLIA: Take your time and
11	healthcare group information as a whole, but	11	review --
12	you also received the individual reports?	12	MR. GROSS: Take your time and
13	MR. BATTAGLIA: Objection: asked	13	review it.
14	and answered.	14	A. Okay.
15	A. Yes, we got these from Bill Hudnut	15	Q. It's fair that these two pages are
16	as well.	16	the same?
17	Q. Do you know why you received the	17	A. They appear that way, yes.
18	individual reports?	18	Q. And so if we look at just the top
19	MR. BATTAGLIA: Objection. To the	19	ten transactions which is the page marked
20	extent you know, please don't speculate.	20	15688 on the bottom right.
21	MR. GROSS: He can answer the	21	A. Yes.
22	question however he sees fit to answer	22	Q. The total revenue number, do you
23	the question.	23	know, can you tell from this sheet what the
24	MR. BATTAGLIA: Right, but I'm not	24	total revenue that is attributed to Lisa is
25	going to have him sit here and guess why	25	for this year?
	Page 170		Page 172
1	F. A. HESSLER	1	F. A. HESSLER
2	other people sent --	2	MR. BATTAGLIA: Objection. Which
3	MR. GROSS: He can answer the	3	document are you looking at?
4	question however -- you can object if	4	MR. GROSS: The one Bates marked
5	you have a problem with the question,	5	15688. I'm just trying to understand
6	but you can't instruct him how to answer	6	how to read this sheet.
7	the question.	7	Let me rephrase the question.
8	MR. BATTAGLIA: I'm not. I'm	8	A. I'm totally unfamiliar with this
9	telling him not to speculate, to answer	9	sheet, so.
10	to the extent that he knows.	10	Q. Does it appear that the total
11	MR. GROSS: There is no rules --	11	revenue column is the furthest one to the
12	he can answer however he would like to	12	right on this sheet, the revenue column, the
13	answer it.	13	net revenue?
14	A. We got these type of reports	14	MR. BATTAGLIA: Objection. Again,
15	annually.	15	please just answer to the extent you
16	Q. My question is do you know why you	16	know or can infer from this document.
17	got these, why these reports were sent to you?	17	A. I don't know on this document, on
18	MR. BATTAGLIA: Objection. To the	18	this page.
19	extent you know.	19	Q. Do you know on the first page?
20	A. I've lost track over here.	20	A. The first page is the typical
21	Please?	21	report that we would get. I'm not at all
22	Q. You can answer the question to the	22	familiar with this other page at all. I don't
23	extent you can answer the question, which is,	23	know what --
24	do you know why these individual reports were	24	Q. So let's look at the first page.
25	sent you in your role as a group head?	25	Is the column all the way to the right on the

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<p>1 F. A. HESSLER 2 A. Um-hum. 3 Q. -- for Ryan Freel. It says -- 4 this is another Fairview deal, right? 5 A. Yes. I'm sorry, yes. 6 Q. And you will notice that neither 7 David Johnson nor Lisa Conley's name is 8 listed? 9 A. Correct. 10 Q. David Johnson and Lisa Conley were 11 involved in covering that account before their 12 terminations, right? 13 A. Correct. 14 Q. So was this, do you know why their 15 names don't appear here? 16 A. I don't know. 17 Q. If you flip back to the previous 18 exhibit which was, I believe 291. You will 19 notice -- 20 A. Sure. 21 Q. -- that the first deal on Lisa 22 Conley's 2008 revenue report, is also a 23 Fairview deal, right? 24 MR. BATTAGLIA: You mean the 25 second one?</p>	<p>1 F. A. HESSLER 2 don't think it is the same deal. What I'm 3 trying to get a sense of is whether these 4 people listed here, Jim Blake, John Sheehan 5 and Ryan Freel on the first deal on Ryan 6 Freel's sheet, would have been covering that 7 deal had Lisa and David Johnson not been 8 terminated? 9 A. No, because that's not the team 10 that took over. 11 Q. So who took over? 12 A. Cyganowski and Freel and -- I 13 don't recall who else. 14 Q. So after Lisa and David Johnson 15 were terminated, Cyganowski and Freel took 16 over? 17 A. Yes. 18 Q. And Cyganowski and Freel were not 19 involved previously? 20 A. Again, this account goes back to 21 1995, and in that time period, Jim Blake and 22 David Cyganowski and Fred Hessler were all 23 involved in Fairview. And so Cyganowski would 24 have had prior lead responsibilities with 25 Fairview prior to the Johnson/Conley team.</p>
Page 202	Page 204
<p>1 F. A. HESSLER 2 A. The first one and the second one, 3 both. 4 Q. The first one. 5 A. Yes. 6 Q. So do you know why -- and Ryan 7 Freel's name does not appear there, correct? 8 A. Correct. 9 Q. Nor does Pat -- John Sheehan, 10 right? 11 A. Correct. 12 Q. And then if we go back to Ryan 13 Freel's list, Jim Blake, Ryan Freel and Pat 14 Sheehan all appear, correct? 15 A. Correct. 16 Q. Is this because the staffing 17 changed after the termination of Lisa and 18 David Johnson? 19 MR. BATTAGLIA: Objection. I 20 don't believe we confirmed that it's the 21 same deal, but he can certainly testify 22 to that. 23 A. Yeah, I can't tell you why these 24 are different names. 25 Q. I'm not trying to suggest -- I</p>	<p>1 F. A. HESSLER 2 Q. And then at some point Johnson and 3 Conley -- Johnson became the lead on that 4 account with Conley as well? 5 A. Yes. 6 Q. And so if you look, going back to 7 Lisa's 2008 revenue report. 8 A. Um-hum. 9 Q. If you see the second deal, that's 10 another Fairview deal, right? 11 A. Yes. 12 Q. And the date in the transaction 13 details, what does that date represent? 14 MR. BATTAGLIA: Objection. You 15 may answer. 16 A. It is probably -- let's see, this 17 is a derivative -- it is probably the date 18 when this particular derivative transaction 19 was executed. 20 Q. Executed. And if we look at Ryan 21 Freel's sheet -- 22 A. Um-hum. 23 Q. -- does that deal appear on his 24 sheet anywhere? 25 A. Quickly scanning down here, I</p>

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<p>1 F. A. HESSLER</p> <p>2 inexperienced director never could.</p> <p>3 Q. So on a day-to-day basis, how does</p> <p>4 that make a senior director's job different</p> <p>5 than a junior director's job?</p> <p>6 A. He isn't supposed to be working on</p> <p>7 a day-to-day execution of transactions. We</p> <p>8 leave that processing for junior directors.</p> <p>9 Q. Is he, as a senior director, more</p> <p>10 focused on bringing in new business than a</p> <p>11 junior director would be?</p> <p>12 A. Again, junior director's career</p> <p>13 path is to become a revenue generator, and</p> <p>14 someone who has been in the business 30 plus</p> <p>15 years is already at that point.</p> <p>16 Q. So you would call Kent Jackman a</p> <p>17 revenue generator at this point?</p> <p>18 A. Yes.</p> <p>19 Q. Would you call Ryan Freel a</p> <p>20 revenue generator in 2008?</p> <p>21 A. In 2008, no.</p> <p>22 Q. Would you call David Kasdin a</p> <p>23 revenue generator in 2008?</p> <p>24 A. No.</p> <p>25 Q. Would you call Michael Brown a</p>	<p>Page 241</p> <p>1 F. A. HESSLER</p> <p>2 Q. Mr. Hessler, if you take a look at</p> <p>3 Exhibit 517.</p> <p>4 A. Okay.</p> <p>5 (Plaintiffs' Exhibit 517, Mike</p> <p>6 Irwin's Net Revenue Report for 2008</p> <p>7 marked for identification, as of</p> <p>8 this date.)</p> <p>9 Q. Which is Mike Irwin's revenue</p> <p>10 report for 2008.</p> <p>11 A. Okay.</p> <p>12 Q. And so at the top of the document</p> <p>13 if you look at the top next to Mike Irwin's</p> <p>14 name.</p> <p>15 A. Yes.</p> <p>16 Q. It says director. Does that</p> <p>17 refresh your recollection at all as to when</p> <p>18 his role was changed from a managing director</p> <p>19 to a director?</p> <p>20 A. Well, it clearly happened some</p> <p>21 time before December 22, 2008. I can't</p> <p>22 remember the exact time. It may have been</p> <p>23 2007.</p> <p>24 Q. And how long had Michael Irwin</p> <p>25 been a director or managing director?</p>	<p>Page 243</p>
<p>1 F. A. HESSLER</p> <p>2 revenue generator in 2008?</p> <p>3 A. No.</p> <p>4 Q. Lisa Conley: a revenue generator</p> <p>5 in 2008?</p> <p>6 A. No.</p> <p>7 Q. Were there expectations for Ryan</p> <p>8 Freel to be a revenue generator in 2008?</p> <p>9 A. No.</p> <p>10 Q. Michael Brown?</p> <p>11 A. No.</p> <p>12 Q. Lisa Conley?</p> <p>13 A. No.</p> <p>14 Q. David Kasdin?</p> <p>15 A. No.</p> <p>16 MR. GROSS: Let's take a break.</p> <p>17 THE VIDEOGRAPHER: We're now going</p> <p>18 off the record approximately 2:20 p.m.</p> <p>19 This is the end of disk No. 3.</p> <p>20 (Recess taken.)</p> <p>21 THE VIDEOGRAPHER: This is the</p> <p>22 beginning of disk 4 in the Hessler</p> <p>23 deposition. We're now going back on the</p> <p>24 record approximately 2:32 p.m.</p> <p>25 BY MR. GROSS:</p>	<p>Page 242</p> <p>1 F. A. HESSLER</p> <p>2 A. Mike Irwin began, let's see, 1985,</p> <p>3 he would have been a director and/or managing</p> <p>4 director from about 1992, '3, time period,</p> <p>5 roughly.</p> <p>6 Q. And why was he, why did he get</p> <p>7 demoted from a managing director to a director</p> <p>8 position?</p> <p>9 MR. BATTAGLIA: Objection. You</p> <p>10 can answer.</p> <p>11 A. He's a well established, well</p> <p>12 recognized senior banker on the Street and</p> <p>13 recognized by his clients. We wanted to</p> <p>14 create an opportunity for some of our younger</p> <p>15 directors to get promoted, and so we asked</p> <p>16 Michael if he would mind no longer being a</p> <p>17 managing director in order for us to promote</p> <p>18 Teri Hartman to managing director.</p> <p>19 Q. And why was it that Michael Irwin,</p> <p>20 his role needed to be changed from managing</p> <p>21 director to director in order for you to be</p> <p>22 able to promote Teri Hartman?</p> <p>23 A. We had a limit in terms of the</p> <p>24 number of managing director positions we had</p> <p>25 available within MSD, PFD and healthcare</p>	<p>Page 244</p>

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<p>1 F. A. HESSLER 2 group. 3 Q. And who sets those limits? 4 A. I don't know. 5 Q. Who communicated those limits to 6 you? 7 A. The limits in terms of the number 8 of spots? 9 Q. Well, how did you know that you 10 needed to have a managing director be moved to 11 director in order to promote one up? 12 A. Because when we recommended to 13 promote Teri Hartman they said you've got too 14 many managing directors. 15 Q. And did the decision -- how did 16 you decide on Mike Irwin? 17 MR. BATTAGLIA: Objection. But 18 you may answer. 19 THE WITNESS: Sure. 20 A. Quite honestly, he, like others, 21 like Charlie Plimpton and Kent Jackman, had 22 been in the business 30-plus years, well 23 established, well recognized, well respected 24 in the industry, and we concluded that he 25 didn't need a title to be effective as a</p>	<p>Page 245</p> <p>1 F. A. HESSLER 2 Q. That's the only time it's ever 3 happened? 4 MR. BATTAGLIA: Objection. 5 A. Yes. 6 Q. And would you say that Michael 7 Irwin in 2008, his job duties were similar to 8 that of Kent Jackman as a senior director? 9 A. Yes. 10 Q. So if you just take a look at 11 Exhibit 517, take a look at it and let me know 12 which one of the clients Michael Irwin was the 13 lead banker for in 2008? 14 MR. BATTAGLIA: To the extent that 15 you can remember. 16 MR. GROSS: To the extent that you 17 can remember. 18 A. Okay, I'll give you the names that 19 are here. New Jersey Health, Vermont Health, 20 Greenville, New York City Health and 21 Hospitals, Fletcher Allen, Grandview, New York 22 State Dormitory, Greenville again, New York 23 Health and Hospitals again, Greenville again, 24 Vermont again. I'm not sure what the Albany 25 Industrial Development is. And again, I don't</p>
<p>1 F. A. HESSLER 2 senior banker to healthcare organizations 3 around the country. 4 Q. Did it have anything to do with 5 his performance? 6 A. No. 7 Q. When you made the decision as to 8 who to approach about stepping down a level, 9 did you compare the performance of Kent 10 Jackman, Mike Irwin and Charles Plimpton? 11 MR. BATTAGLIA: Objection. You 12 may answer. 13 A. No, Kent and Charlie were already 14 directors. 15 Q. Did it have anything to do with 16 his age that you asked him to be the one to 17 step down? 18 MR. BATTAGLIA: Objection. 19 A. Not his age, his experience in the 20 industry. 21 Q. And during the course of your 22 tenure as head of the healthcare group, have 23 you ever approached anyone else about taking a 24 step-down in title? 25 A. No.</p>	<p>Page 246</p> <p>1 F. A. HESSLER 2 know what the Albany Industrial Development 3 is. 4 MR. BATTAGLIA: There is one more 5 on the next page. 6 A. Oh, I'm sorry. And Jefferson 7 Health, yes. 8 Q. And is Mike Irwin, he's still 9 employed at the company? 10 A. Yes. 11 Q. Do you know how old Mike Irwin is? 12 A. Michael is 62. 13 Q. When Mike Irwin was moved to the 14 director from the managing director role, do 15 you know whether there was a change in his 16 compensation at that time? 17 MR. BATTAGLIA: Objection. You 18 may answer. 19 A. There was no change in -- I don't 20 know whether or not -- I'm not certain -- 21 well, put it this way. I am reasonably 22 certain there was no change in his base 23 compensation. There would have been no change 24 in his ultimate total compensation. 25 Q. There would not have been a</p>

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1 F. A. HESSLER 2 she had occasion to do very little but -- very 3 little with Ray Klajic. 4 Q. And what about Tom Coomes? 5 A. That, I don't know. 6 Q. Did you ever consult with Ray 7 Klajic regarding Lisa's performance? 8 A. No. 9 Q. What about before making 10 compensation decisions? 11 A. No. 12 Q. Termination decisions? 13 A. No. 14 Q. Do you remember how many separate 15 lay-offs affected your group, the healthcare 16 group in 2007 and 2008? 17 MR. BATTAGLIA: I'm sorry, can you 18 restate, that how many -- 19 Q. How many separate layoffs affected 20 the healthcare group in 2007, 2008. 21 MR. BATTAGLIA: So just to 22 clarify, we are talking about mass 23 layoffs or individuals leaving? 24 Q. Part of company-wide reductions in 25 force.	Page 253	1 F. A. HESSLER 2 Q. And what position -- is Efraim 3 Zamora, is that a man or a woman? 4 A. It's a man. 5 Q. And what position was Efraim? 6 A. I think they were both vice 7 presidents. 8 Q. Were you involved in selecting 9 those two individuals for termination? 10 A. I was involved. 11 Q. Was David Cyganowski involved? 12 A. He would have been involved. 13 Q. Who else was involved? 14 A. Frank Chin and I don't recall 15 whether or not David Brownstein was involved 16 in 2007 or not. 17 Q. Was Bart Livolsi involved? 18 A. Relative to? 19 Q. These two names in 2007. 20 A. No. 21 Q. Was Tom Green involved? 22 A. No. 23 Q. And do you remember what the 24 criteria was that you analyzed in terms of 25 coming up with these two people's names?	Page 255
1 F. A. HESSLER 2 A. The ones that come to mind, there 3 were three. 4 Q. And what's the one furthest back 5 in time? 6 A. From roughly 2007. 7 Q. And do you know when in 2007? 8 A. Late. I don't know exact date. 9 Q. Towards the end of 2007? 10 A. End of 2007. 11 Q. And when's the next one? 12 A. That would have been mid 2008. 13 Q. And the last one? 14 A. Late 2008. 15 Q. And do you remember who, if 16 anyone, was included from the healthcare group 17 in the end of 2007 layoff? 18 A. A memory test. The two that come 19 to mind are Efraim Zamora. 20 Q. Efraim? 21 A. I'm sorry? 22 Q. Efraim? 23 A. Efraim. And Amy Reding. 24 MR. BATTAGLIA: Amy? 25 A. Reding.	Page 254	1 F. A. HESSLER 2 MR. BATTAGLIA: Objection. You 3 may answer. 4 A. The criteria had to do with their 5 performance as vice presidents and -- it was 6 the principal criteria. 7 Q. And who recommended these two 8 individuals for layoff? 9 MR. BATTAGLIA: Objection. You 10 may answer. 11 A. I don't understand your question. 12 Q. Did Frank Chin have to sign-off on 13 all the layoff decisions? 14 A. Yes. 15 Q. Who initially proposed Efraim and 16 Amy's names for layoff? 17 A. You know, for 2007 I really can't 18 remember who proposed those two. I don't 19 remember. 20 Q. Could it have been you? 21 A. It could have been. 22 Q. Could it have been Cyganowski? 23 A. It could have been. 24 Q. Could it have been Frank Chin? 25 A. Yes.	Page 256

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<p>1 F. A. HESSLER</p> <p>2 Frank Chin decision.</p> <p>3 Q. Did you have an opinion?</p> <p>4 A. I did.</p> <p>5 Q. And what was your opinion?</p> <p>6 A. He should be off the list.</p> <p>7 Q. Why was that?</p> <p>8 A. He is a very talented banker who, if he left our group and went to another group, would take a multitude of clients with him and a bunch of people with him. So it is a high risk strategy to remove him.</p> <p>13 Q. And so this initial list that Frank Chin put together, did he send that to you in an e-mail?</p> <p>16 A. I don't believe so.</p> <p>17 Q. So how would he have given it to you?</p> <p>19 A. Verbally.</p> <p>20 Q. Verbally?</p> <p>21 A. Yes.</p> <p>22 Q. There was a meeting?</p> <p>23 A. Yes.</p> <p>24 Q. With just you and Frank Chin?</p> <p>25 A. As I recall, it was Chin, Livolsi,</p>	<p>Page 261</p> <p>1 F. A. HESSLER</p> <p>2 Q. Do you remember whether anyone else at the meeting was taking notes?</p> <p>4 A. That, I don't remember.</p> <p>5 Q. And was there an order on the list in terms of who Frank Chin was suggesting should be the first to go?</p> <p>8 A. No.</p> <p>9 Q. So the names you listed were all on equal footing, originally?</p> <p>11 A. I don't know if it was equal footing. There was no order to the list.</p> <p>13 Q. So how did you get from that original list to these four names?</p> <p>15 A. The hard reality is that we may have had to make a judgment in each of these cases as to whether or not any particular individual, if they were terminated, would take business with them or people with them.</p> <p>20 And the judgment that was exercised in June was that those four individuals, particularly the directors, in fact, it was the directors Mark Chiang and Peter Reilly that we had most focused in on, and we concluded that we would have a low</p>
<p>1 F. A. HESSLER</p> <p>2 Brownstein and myself. I don't recall whether or not Tom Green was there or not.</p> <p>4 Q. So why was it those four individuals, why were those four individuals invited to the meeting?</p> <p>7 A. Because we had the most number of people in the whole department.</p> <p>9 Q. Were you part of a committee?</p> <p>10 A. No formal committee.</p> <p>11 Q. An informal committee?</p> <p>12 A. I'm not sure it was even an informal committee.</p> <p>14 Q. Do you remember when you met?</p> <p>15 A. I don't. I don't.</p> <p>16 Q. Do you know how many times you met?</p> <p>18 A. I would just be guessing, two, three.</p> <p>20 Q. Did you take notes at any of these meetings?</p> <p>22 A. The only notes I took was the initial list.</p> <p>24 Q. Did you keep that list?</p> <p>25 A. No.</p>	<p>Page 262</p> <p>1 F. A. HESSLER</p> <p>2 probability of losing business or having people being recruited by them, if they were terminated.</p> <p>5 Q. So that was what the criteria was?</p> <p>6 A. Yes.</p> <p>7 Q. And you said that Peter Reilly and Mark Chiang were directors?</p> <p>9 A. Yes.</p> <p>10 Q. And what was Jeffrey Cepler's position?</p> <p>12 A. I think he was a vice president I believe.</p> <p>14 Q. And what about Matthew Fong?</p> <p>15 A. I can't remember if he was an associate on AVP.</p> <p>17 Q. He wasn't a senior level employee, right?</p> <p>19 A. No.</p> <p>20 Q. Did you review any documents at these meetings?</p> <p>22 A. No.</p> <p>23 Q. Did you discuss performance reviews during these meetings?</p> <p>24 A. Not to my recollection.</p>

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1	F. A. HESSLER	1	F. A. HESSLER
2	Q. Victor Radina?	2	MR. BATTAGLIA: Objection.
3	A. No.	3	A. Again, it was a verbal
4	Q. Charles Plimpton?	4	communication and I don't -- there was no
5	A. Again, he could have been. I	5	order to it.
6	can't tell you with certainty.	6	Q. When Frank -- was it Frank Chin
7	Q. Charles Lee?	7	who gave you the verbal list of names?
8	A. I don't believe so.	8	A. Yes.
9	Q. Mike Irwin?	9	Q. And it was at this meeting?
10	A. Yes.	10	A. As I recall best, yes.
11	Q. He was on the list?	11	Q. And do you remember what he said
12	A. Yes.	12	about the people, each of the people on the
13	Q. Kent Jackman?	13	list?
14	A. I believe he was, but, again, I	14	A. I don't recall if he had comments
15	can't be certain.	15	about the individuals on the list or not.
16	Q. Pat Sheehan?	16	Q. Do you remember, was it a
17	A. Again, I put him in that category,	17	collaborative discussion in terms of
18	could have been, but I can't be for certain.	18	ultimately determining who would be part of
19	Q. So other than, I believe you said	19	the reduction in force?
20	Victor Radina was not on the list?	20	A. It was a discussion about getting
21	A. Yes.	21	towards a list of people who would in
22	Q. And Charles Lee was not on the	22	healthcare's case would have come up to about
23	list?	23	a \$3 million compensation number.
24	A. I think that's right.	24	Q. So it was that he initially
25	Q. And Mike Irwin was on the list?	25	proposed which people would go and then you
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1	F. A. HESSLER	1	F. A. HESSLER
2	A. Yes.	2	got to provide input?
3	Q. And you believe Kent Jackman was	3	A. Oh, by the very fact they were on
4	on the list?	4	the list said that they were candidates.
5	A. I believe so.	5	Q. But whittling it down from the
6	Q. And all the other names, it could	6	people on this list to the ultimate handful of
7	be one way or the other?	7	people who were terminated, that was a
8	A. Yes.	8	collaborative process?
9	MR. BATTAGLIA: And Cyganowski I	9	A. Yes.
10	believe you said.	10	Q. It wasn't Frank Chin suggesting
11	Q. And Cyganowski you said no?	11	unilaterally, or David Brownstein suggesting
12	A. Yes.	12	unilaterally, who they felt those names should
13	Q. And do you know why these people	13	be?
14	were on, the people that were on the list were	14	A. No, there was exchange and back
15	on the list?	15	and forth.
16	A. I don't know what criteria was	16	Q. And did you have any documents at
17	used to be able to put people on that list in	17	these meetings that you reviewed?
18	the first place.	18	A. No.
19	Q. So you don't know what criteria	19	Q. When you were at these meetings
20	Frank Chin and maybe David Brownstein	20	did you know what people's -- how did you know
21	evaluated in coming up with that initial list	21	what people's 2007 salaries were?
22	of names?	22	MR. BATTAGLIA: Objection.
23	A. No.	23	A. Yeah, we did and I don't recall
24	Q. And was the list organized in any	24	how we knew that sitting in these meetings. I
25	fashion that you can remember?	25	don't recall.

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1	F. A. HESSLER	1	F. A. HESSLER
2	Q. But you did know --	2	Q. Lisa Conley, she was on the list?
3	A. Yes.	3	A. Yes.
4	Q. -- the comp numbers?	4	Q. Jim Blake?
5	A. Yes.	5	A. No.
6	Q. What about revenue documents?	6	Q. Do you know why he wasn't on the
7	A. No.	7	list?
8	MR. BATTAGLIA: Objection.	8	A. No.
9	THE WITNESS: Sorry.	9	Q. Andy Pines?
10	Q. What about performance	10	A. No.
11	evaluations?	11	Q. Do you know why he wasn't on the
12	MR. BATTAGLIA: Objection.	12	list?
13	Q. Did you look at those at any of	13	A. No.
14	these meetings?	14	Q. Did you agree that his name
15	A. No.	15	shouldn't be on the list?
16	Q. Do you remember discussing	16	MR. BATTAGLIA: Objection.
17	performance evaluations at any of these	17	A. Yes.
18	meetings?	18	Q. Was there anyone who was not on
19	A. No.	19	the list who you thought should have been on
20	Q. Do you remember discussing	20	the list?
21	feedback, performance evaluation feedback	21	MR. BATTAGLIA: Objection. You
22	regarding any of these people at these	22	may answer.
23	meetings?	23	A. No. It was a pretty long list.
24	MR. BATTAGLIA: Objection.	24	Q. And what was the criteria, how did
25	A. No.	25	you, when you were discussing everyone -- did
	Page 290		Page 292
1	F. A. HESSLER	1	F. A. HESSLER
2	Q. Can you remember, roughly, can you	2	you discuss everyone's name on the list?
3	remember how many people were on the original	3	A. Definitely the officers, yes.
4	list, how many people's names appeared on the	4	Q. And you are defining officers as
5	initial list?	5	what?
6	A. For?	6	A. Managing directors, directors and
7	Q. The November 2008 reduction in	7	I don't recall whether or not there were any
8	force?	8	VPs on the list and if there were, we may have
9	A. For?	9	touched upon their names.
10	Q. Healthcare.	10	Q. But you discussed all the
11	A. Whatever the names we just went	11	officers?
12	over would be as best I remember the names on	12	A. Yes.
13	the list and the total number.	13	Q. And who was part of those
14	Q. So I only listed directors and I	14	discussions?
15	believe Cyganowski is a managing director.	15	A. As I said earlier, in those
16	Was anyone else considered for layoff?	16	meetings was Chin, Brownstein, Livolsi, myself
17	MR. BATTAGLIA: To the extent you	17	and maybe Tom Green.
18	can recall.	18	Q. And you testified earlier that
19	A. Yeah, again, there were likely	19	with respect to when there was conversations
20	associates and analysts, but I don't recall if	20	about employees from other groups that you
21	they were on there.	21	didn't know, that you were in the room but you
22	Q. I also didn't mention other	22	weren't an active participant, right?
23	people's names such as David Johnson. Was he	23	A. Correct.
24	on the list?	24	Q. Do you remember whether Bart
25	A. Yes.	25	Livolsi was an active participant in the